

entered and it was ordered that the product be released under bond to be relabeled.

M. L. WILSON, *Acting Secretary of Agriculture.*

**26328. Adulteration of tullibeas. U. S. v. 206 Boxes of Tullibeas. Default decree of condemnation and destruction. (F. & D. no. 37684. Sample no. 61036-B.)**

This case involved tullibeas infested with worms.

On April 6, 1936, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 206 boxes of tullibeas at Brooklyn, N. Y., alleging that the article had been shipped from Canada into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Product of Canada."

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy animal substance and in that it consisted of portions of animals unfit for food.

On September 18, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**26329. Adulteration of tullibeas. U. S. v. 280 Boxes, et al., of Tullibeas. Default decree of condemnation and destruction. (F. & D. nos. 37685, 37686, 37687, 37688. Sample nos. 61102-B to 61105-B, incl.)**

These cases involved imported tullibeas that were infested with worms.

On April 14, 1936, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 325 boxes of tullibeas at Newark, N. J., alleging that the article had been shipped sometime in February and March 1936, from the Dominion of Canada—the city from which shipped, the shipper and the exact date of shipment being unknown—and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Product of Canada."

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance and of portions of animals unfit for food.

On July 24, 1936, no claimant having appeared, judgments of condemnation were entered and it was ordered that the produce be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**26330. Misbranding of salad oil. U. S. v. 5 Cases of Table Oil. Default decree of condemnation. (F. & D. no. 37689. Sample no. 56512-B.)**

This product consisted largely of cottonseed oil with a small amount of olive oil present and was labeled to create the impression that it was olive oil. It was also short in volume.

On April 27, 1936, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five cases of table oil at Milwaukee, Wis., alleging that the article had been shipped in interstate commerce on or about January 22, 1936, by the Chicago Macaroni Co., from Chicago, Ill., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "One Gallon Italy Brand Table Oil. An excellent composition of fifteen percent imported olive oil and eighty-five percent of other vegetable oils Packed by A. Morici & G. Matalone Co., Chicago, Ill."

The article was alleged to be misbranded in that the brand name "Italy", the statement "Table Oil", and the designs of foreign medals on the labels, were false and misleading and tended to deceive and mislead the purchaser in that they implied that the product was olive oil; in that the statement on the label, "One Gallon", was false and misleading and tended to deceive and mislead the purchaser when applied to a product in cans containing less than 1 gallon; and in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On June 19, 1936, no claimant having appeared, judgment of condemnation was entered ordering that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*